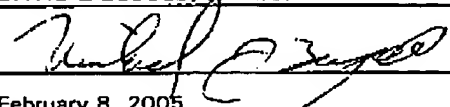
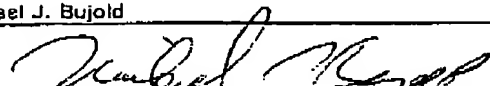


PTO/SB/21 (12-97)

Approved for use through 9/30/00. OMB 0851-0031  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/621,527
	Filing Date	July 21, 2000
	First Named Inventor	Mitsuhiko INAGUMA
	Group Art Unit	2614
	Examiner Name	Michael W. HOYE Fax: (703) 872-9306
Total No. of Pages in this Submission: 6	Attorney Docket Number	ADACHI P188USP1
ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee attached <input type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Part/s Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> To Convert a Provisional Petition <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input checked="" type="checkbox"/> Request for Consideration of Timely Filed Information Disclosure Statement	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): COPY of Returned Postcard COPY of Inform. Disclo. Stmt COPY of PTO-1449
REMARKS		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual Name	Michael J. Bujold DAVIS & BUJOLD, P.L.L.C. <div style="text-align: right;">Reg. No. 32,018 CUSTOMER NO. 020210</div>	
Signature		
Date	February 8, 2005	
CERTIFICATE OF TRANSMISSION		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO on February 8, 2005		
Type or printed name	Michael J. Bujold	
Signature	 <div style="text-align: right;">Date: February 8, 2005</div>	

FEB 08 2005

1/24/05

PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Mitsuhiro INAGUMA, Shigemitsu TORIYAMA and  
Yasuo NAKAYAMA  
Serial no. : 09/621,527  
Filed : July 21, 2000  
For : IN-BUILDING CATV SYSTEM, DOWN-  
CONVERTER, UP-CONVERTER AND  
AMPLIFIER  
Group Art Unit : 2614  
Examiner : Michael W. HOYE  
Docket : ADACHI P188USP1

The Commissioner for Patents  
U.S. Patent & Trademark Office  
P. O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR CONSIDERATION OF  
TIMELY FILED INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

Upon reviewing this application, it has come to the attention of the undersigned that all of the prior art which was timely and properly made of record in this case has not been substantively considered by the Examiner. Specifically, the Applicant prepared and timely filed an Information Disclosure Statement, along with PTO-1449 and copies of the necessary citations (a copy of the returned postcard, the submitted Statement and PTO-1449 is attached, if copies of the citations are again required, please immediately contact the undersigned), under an October 17, 2000 Certificate of Mailing Date.

In the May 21, 2004 official action, the Examiner stated that a concise explanation of the relevance of the cited references was not provided—although the Applicant indicated that the relevance of these references was that they were cited during prosecution of parent application serial no. 09/507,712. In the Response filed on August 20, 2004, the Applicant stated, in the Remarks Section, the following:

In response to the Examiner's remarks concerning the Information Disclosure Statement filed October 17, 2000, as failing to comply with 37 CFR 1.99(a)(3) because it does not include a concise explanation of the relevance as it is presently understood by the individual designated in 37 CFR 1.56(c) most knowledgeable about the content of the information, attached is an English Abstract, for each one of the four (4) Japanese citations, which have just come

09/621,527

to hand. Please substantively consider this art at this time and, in the event that a petition and/or an official fee is necessary to attend to the same, please consider this to be the necessary petition and charge the official fee to the deposit account of the undersigned.

In view of this, however, the Examiner has not confirmed to the undersigned, by signing and returning a copy of PTO-1449, that such references are now substantively considered. Accordingly, the Applicant respectfully requests the Examiner consider the same at this time.

It is submitted that the allowed claims are distinguishable over all of the prior art of record, including these references which were not previously considered. However, in the event that the Examiner believes further prosecution of this application is warranted in view of this newly considered art, the Examiner is invited to withdraw this case from issue and provide the Applicant with a further action on the merits.

As all of this prior art was previously made of record in this case in a timely manner, it is respectfully submitted that Petition and/or an official fee is **not** necessary and the Examiner is required to substantively consider the same at this time. If any further action on the part of the Applicant is required in order for the Examiner to substantively consider this art, the Examiner is respectfully requested to contact the undersigned attorney immediately.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

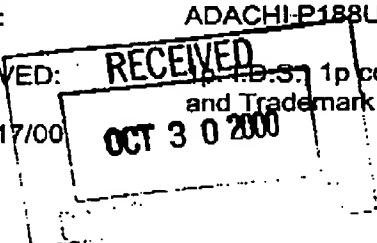
Respectfully submitted,

  
Michael J. Bujold, Reg. No. 32,018  
**Customer No. 020210**  
Davis & Bujold, P.L.L.C.  
Fourth Floor  
500 North Commercial Street  
Manchester NH 03101-1151  
Telephone 603-624-9220  
Facsimile 603-624-9229  
E-mail: patent@davisandbujold.com

In re Appln. of: Mitsuhiko INAGUMA, Shigemitsu  
TORIYAMA and Yasuo NAKAYAMA  
Serial No.: 09/621,527  
Filed: July 21, 2000  
For: IN-BUILDING CATV SYSTEM, DOWN-  
CONVERTER, UP-CONVERTER AND  
AMPLIFIER  
Group Art Unit:  
Examiner:  
Docket: ADACHI P188USP1  
RECEIVED: 1p. I.D.S.; 1p copy of United States Patent  
and Trademark Office Form 1449  
clb:10/17/00

# COPY

In re Appln. of: Mitsuhiko INAGUMA, Shigemitsu  
TORIYAMA and Yasuo NAKAYAMA  
Serial No.: 09/621,527  
Filed: July 21, 2000  
For: IN-BUILDING CATV SYSTEM, DOWN-  
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10/17/00

PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Mitsuhiro INAGUMA, Shigemitsu TORIYAMA and  
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Serial no. : 09/621,527  
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For : IN-BUILDING CATV SYSTEM, DOWN-CONVERTER,  
UP-CONVERTER AND AMPLIFIER  
Group Art Unit :  
Examiner :  
Docket : ADACHI P188USP1

The Commissioner of Patents and Trademarks  
Washington, D.C. 20231

## INFORMATION DISCLOSURE STATEMENT

COPY

Dear Sir:

In connection with this matter, the Applicant hereby attaches one (1) United States Patent Office Form PTO-1449 and copies of the information listed in the enclosed PTO-1449 Form, unless otherwise indicated on such Form.

As all of the listed citations were previously submitted to or cited by the United States Patent and Trademark Office in a prior application which is relied upon for an earlier filing date under 35 U.S.C. § 120, namely, serial No. 09/507,712 filed February 18, 2000, submission of a copy of each of those citations is not believed necessary (see 37 CFR 1.98(d)). However, if further copies of the same are required, please advise by telephone and the undersigned will promptly forwarded copies of the cited art to the United States Patent and Trademark Office. Secondly, if anything further is required in order for the Examiner to substantively consider all of this prior art, please contact the undersigned as soon as possible.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,

  
Michael J. Bujold, Reg. No. 32,018  
Customer No. 020210  
Davis and Bujold  
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500 North Commercial Street  
Manchester NH 03101  
Telephone 603-624-9220  
Facsimile 603-624-9229  
E-mail: [patent@davisandbujold.com](mailto:patent@davisandbujold.com)

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service, with sufficient postage, as First Class Mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231 on October 17, 2000.

By:   
Print Name: Michael J. Bujold

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE

(Rev.2-32) PATENT AND TRADEMARK OFFICE  
INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT  
(Use several sheets if necessary)

Atty Docket: ADACHI P188USP1

Serial No.: 09/621,527

Filing Date: July 21, 2000

Examiner:

Group:

Applicant: Mitsuhiko INAGUMA, Shigemitsu  
TORIYAMA and Yasuo NAKAYAMA

## U.S. PATENT DOCUMENTS

Examiner	Document			Sub-	Filing Date,
Initial	Number	Date	Name	Class	If Appropriate

## FOREIGN PATENT DOCUMENTS

Examiner	Document			Sub-	Translation
Initials	Number	Date	Country	Class Class	Yes No
	10174084	June 26, 1998	JAPAN		Abstract
	11004426	Jan. 6, 1999	JAPAN		Abstract
	11220716	Aug. 10, 1999	JAPAN		Abstract
	11355738	Dec. 24, 1999	JAPAN		Abstract

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

Examiner	Date Considered
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.